

CLAIM REJECTIONS—35 U.S.C. 103

The Office Action rejected Claims 11, 12, 15, 18, 19, 34, 35, 38, 41, 42, 57, 58, 61, 64, 65, 70-80, 83-89, 92-98, and 101-105 under 35 U.S.C. §103(a) as being unpatentable over Taylor, “Object-Oriented Information Systems” (“Taylor”) in view of Pressman, “Software Engineering: A Practitioner’s Approach.” (“Pressman”). The Office Action rejected Claims 13, 14, 16, 17, 20-23, 36, 37, 39, 40, 43-46, 59, 60, 62, 63, 66-69, 81, 82, 90, 91, 99, and 100 under 35 U.S.C. 103(a) as being unpatentable over Taylor in view of Pressman and Shanton, U.S. Patent No. 5,369,702 (“Shanton”). The rejections are respectfully traversed.

CLAIMS 11, 12, 15, 18, 19, 34, 35, 38, 41, 42, 57, 58, 61, 64, 65, 70-80, 83-89, 92-98,
AND 101-105

With regard to Claim 11, there is recited a method performed by a framework in a system comprising the framework, an application, and an implementation class that provides an implementation for a particular service; that method comprising:

- receiving a request from an application for a customized implementation of a particular service;
- instantiating an implementation class which provides an implementation for the particular service to give rise to an implementation instance;
- determining a set of zero or more restrictions to be imposed on said customized implementation;
- instantiating a wrapper class to give rise to a wrapper instance, said wrapper instance comprising enforcement logic for enforcing said restrictions;
- encapsulating said implementation instance and said restrictions within said wrapper instance; and
- providing said wrapper instance to the application as said customized implementation;
- wherein said wrapper instance comprises one or more invocable methods, wherein said implementation instance comprises one or more invocable methods, and wherein encapsulating comprises:

mapping the one or more invocable methods of said wrapper instance to the one or more invocable methods of said implementation instance.

(emphasis added).

The method of Claim 11 is quite advantageous because it allows restrictions to be imposed on a service implementation. The imposition of restrictions on a service implementation is especially useful when law prohibits the export of an unrestricted version of such a service implementation. Because a framework performs the method, the framework can perform the method dynamically.

According to the method of Claim 11, the framework determines a set of restrictions to be imposed on an implementation of a service. Having determined the set of restrictions, the framework instantiates a wrapper class to give rise to a wrapper instance that comprises enforcement logic for enforcing the restrictions. The framework provides the wrapper instance to a requesting application as a customized implementation of the service.

Neither Taylor nor Pressman teaches, discloses, or suggests such a method. Pressman discloses object-oriented principles generally, but does not teach, disclose, or suggest a framework determining a set of restrictions, or the framework instantiating a wrapper class to give rise to a wrapper instance that comprises enforcement logic for enforcing the restrictions. The Office Action does not cite any specific portion of Pressman that teaches, discloses, or suggests these features.

Taylor discloses, on page 296, that legacy systems can be “absorbed” by making the legacy systems appear to be object-oriented, and that this may be accomplished by putting object-oriented wrappers around the legacy systems to allow the legacy systems to interact in an object-oriented environment. Taylor further discloses, on page 296, that

wrappers can accept messages from other objects, call on conventional software to perform requested operations, and return results to the calling objects.

However, Taylor does not teach, disclose, or suggest that such a wrapper comprises enforcement logic for enforcing a set of restrictions, or the determining of such a set of restrictions. The wrapper disclosed by Taylor does not appear to restrict the program that the wrapper wraps in any way whatsoever. Taylor also lacks any teaching, disclosure, or suggestion of a framework that determines a set of restrictions and instantiates a wrapper class to give rise to a wrapper instance that comprises enforcement logic for enforcing the restrictions. The Office Action does not cite any specific portion of Taylor that teaches, discloses, or suggests these features.

Thus, neither Taylor nor Pressman teaches, discloses, or suggests at least the following features of Claim 1: determining a set of zero or more restrictions to be imposed on said customized implementation; and instantiating a wrapper class to give rise to a wrapper instance, said wrapper instance comprising enforcement logic for enforcing said restrictions.

In order for a *prima facie* case of obviousness to be established under 35 U.S.C. 103, the combined references must, at least when considered in combination, teach or suggest all of the limitations of the claims that are alleged to be obvious. The burden is placed upon the Examiner to make out this case by pointing out specific teachings of cited references. Such specific teachings might, if correct, constitute the evidence that is required to make out the case. However, instead of pointing out specific teachings, the Office Action only names some references and then generally alleges that all of the limitations of Claim 11 are shown somewhere within the references.

Applicant respectfully submits that such general allegations lack the specificity that is required to make out a *prima facie* case of obviousness. If the rejections are maintained in the future, Applicant respectfully requests at least that specific teachings within the cited references be pointed out so that the Applicant can better understand what concepts within the cited references are alleged to correspond to the particular features within the claims. At the moment, it is not even clear which of the references the Office Action relies upon to allegedly teach or suggest particular features of Claim 11.

The Office Action generally alleges that Claim 11 recites nothing more than commonly known principles of object-oriented programming. Applicant respectfully disagrees. Claim 11 recites, *inter alia*, that a framework determines a set of restrictions, which is not a commonly known principle of object-oriented programming.

Because the Office Action has not cited any specific portions of Pressman or Taylor that teach, disclose, or suggest the features discussed above, the Office Action has not made out a *prima facie* case of obviousness. Even assuming, *arguendo*, that Pressman and Taylor could be combined, Pressman and Taylor still do not teach, disclose, or suggest all of the limitations of Claim 11. Thus, Claim 11 is patentable over Pressman and Taylor, taken individually or in combination.

Claims 12, 15, 18, 19, 70-72, 79, 80, and 83-87 depend from Claim 11 and therefore include all of the distinguished limitations of Claim 11. Thus, Claims 12, 15, 18, 19, 70-72, 79, 80, and 83-87 are patentable over Pressman and Taylor, taken individually or in combination, for at least the reasons given above with reference to Claim 11.

Claims 34, 35, 38, 41, 42, 73-75, 88, 89, and 92-96 recite frameworks that comprise mechanisms for performing the methods of Claims 11, 12, 15, 18, 19, 70-72,

79, 80, and 83-87, respectively. Applicant submits that Claims 34, 35, 38, 41, 42, 73-75, 88, 89, and 92-96 are patentable over Pressman and Taylor for at least the reasons given above in connection with Claim 11, 12, 15, 18, 19, 70-72, 79, 80, and 83-87, respectively.

Claims 57, 58, 61, 64, 65, 76-78, 97, 98, and 101-105 recite computer-readable media that comprise instructions for causing one or more processors to perform the methods of Claims 11, 12, 15, 18, 19, 70-72, 79, 80, and 83-87, respectively. Applicant submits that Claims 57, 58, 61, 64, 65, 76-78, 97, 98, and 101-105 are patentable over Pressman and Taylor for at least the reasons given above in connection with Claim 11, 12, 15, 18, 19, 70-72, 79, 80, and 83-87, respectively.

CLAIMS 13, 14, 16, 17, 20-23, 36, 37, 39, 40, 43-46, 59, 60, 62, 63, 66-69, 81,
82, 90, 91, 99, AND 100

Claims 13, 14, 16, 17, 20-23, 81, and 82 depend from Claim 11 and therefore include all of the distinguished limitations of Claim 11. Thus, if Claim 11 is patentable over Taylor, Pressman, and Shanton, then Claims 13, 14, 16, 17, 20-23, 81, and 82 are also patentable over Taylor, Pressman, and Shanton.

Like Taylor and Pressman, Shanton does not disclose, teach, or suggest at least the following limitations of Claim 11: determining a set of zero or more restrictions to be imposed on said customized implementation; and instantiating a wrapper class to give rise to a wrapper instance, said wrapper instance comprising enforcement logic for enforcing said restrictions. Indeed, the Office Action does not even allege that Shanton discloses these features. Even assuming, arguendo, that Pressman, Taylor, and Shanton could be combined, Pressman, Taylor and Shanton still do not teach, disclose, or suggest

all of the limitations of Claim 11. Thus, Claim 11 is patentable over Pressman, Taylor, and Shanton, taken individually or in combination.

Consequently, Claims 13, 14, 16, 17, 20-23, 81, and 82 are patentable over Pressman, Taylor, and Shanton, taken individually or in combination, for at least the reasons given above with reference to Claim 11.

Claims 36, 37, 39, 40, 43-46, 90, and 91 recite frameworks that comprise mechanisms for performing the methods of Claims 13, 14, 16, 17, 20-23, 81, and 82, respectively. Applicant submits that Claims 36, 37, 39, 40, 43-46, 90, and 91 are patentable over Pressman, Taylor, and Shanton for at least the reasons given above in connection with Claim 13, 14, 16, 17, 20-23, 81, and 82, respectively.

Claims 59, 60, 62, 63, 66-69, 99, and 100 recite computer-readable media that comprise instructions for causing one or more processors to perform the methods of Claims 13, 14, 16, 17, 20-23, 81, and 82, respectively. Applicant submits that Claims 59, 60, 62, 63, 66-69, 99, and 100 are patentable over Pressman, Taylor, and Shanton for at least the reasons given above in connection with Claim 13, 14, 16, 17, 20-23, 81, and 82, respectively.

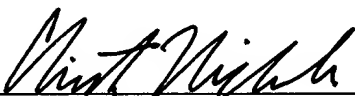
CONCLUSION

For at least the reasons set forth above, Applicant respectfully submits that all pending claims are patentable over the art of record, including the art cited but not applied. Accordingly, allowance of all claims is hereby respectfully solicited.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: September 29, 2004



Christian A. Nicholes
Reg. No. 50,266

1600 Willow Street
San Jose, California 95125-5106
Telephone No.: (408) 414-1080
Facsimile No.: (408) 414-1076

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on September 29, 2004 by



Judy P. Pardo